



PATENT

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

(Atty. Docket No.: 96-2087-I)

In re Application of:

Zhang *et al.*

Application No.: 09/837,079

Filing Date: April 18, 2001

Title: Minimal Adenoviral Vectors for  
Immunization

Examiner: unassigned

Group Art Unit: unassigned

Confirmation No.: 1343

**TRANSMITTAL LETTER**

With regard to the patent application identified above:

1. Enclosed please find a Response to the Notice to File Missing Parts of a Non-Provisional Application mailed June 8, 2001; a copy of the Notice; a Preliminary Amendment; a copy of the Declaration and Power of Attorney from prior U.S. App. No. 08/866,403; an oath or declaration surcharge; a Petition for a Five Month Extension of Time and fee therefor and a Return Receipt Postcard.
2. With respect to fees:  

A. No additional fee should be required.

  x   B. Attached are checks in the amount of \$ 1045.00
3. Please debit any additional fees or credit any overpayments occasioned by this or other paper to Deposit Account No.13-2490. A duplicate copy of this sheet is attached for that purpose.
4. The undersigned states that this Transmittal Letter and the documents listed above are being deposited with the United States Postal Service as Express Mail (No. EL904275994US) in accordance with the provisions of 37 C.F.R. § 1.10 (M.P.E.P. § 513) in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231-9999.

Date: January 8, 2002

Respectfully submitted,

*Mark L. Chael*

Mark L. Chael, Ph.D.  
Reg. No. 44,601



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(Atty. Docket No.: 96-2087-I)

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Application No.: 09/837,079	)	Group Art Unit: unassigned
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Filing Date: April 18, 2001	)	Confirmation No.: 1343
	)	
Title: Minimal Adenoviral Vectors for	)	
Immunization	)	

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF A**  
**NON-PROVISIONAL APPLICATION MAILED JUNE 8, 2001**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of a Non-Provisional Application mailed June 8, 2001 (hereinafter "the Notice"), the applicants respectfully submit the enclosed documents, including a declaration and a Petition for an Extension of Time in which to respond to the pending Notice. The oath or declaration surcharge and the fee for the extension of time are enclosed. The applicants do not believe that any additional fees are due. However, if this is belief is in error, the undersigned hereby authorizes the Commissioner to debit any underpayment or credit any overpayment to Deposit Account No. 13-2940.

**REMARKS**

The Notice alleged that an oath or declaration is missing and that an oath or declaration surcharge is due. A copy of the executed declaration from U.S. App. No. 08/866,403 is enclosed and the required surcharge accompanies this response.

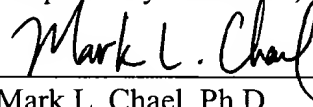
The Notice also alleged that the application is informal as it allegedly does not comply with the regulations for reasons indicated therein. The Notice further alleged that the following items must be timely submitted to avoid abandonment: 1) substitute drawings in compliance with 37 C.F.R. § 1.84; 2) a statement that the content of the sequence listing information recorded in computer-readable form is identical to the written (on paper or compact disk) sequence listing and, where applicable, includes no new matter as required by 37 C.F.R. §§ 1.821(e), 1.821(f); 1.821(b) or 1.821(d); and 3) a copy of the sequence listing in computer-readable form as required by 37 C.F.R. 1.821(e). These items will be timely submitted in Response to future Office Actions.

#### CONCLUSION

Acceptance of the documents enclosed herewith is earnestly solicited. The Applicants urge the Patent Office to contact the undersigned at extension 2117 if the Patent Office believes this would expedite prosecution of the application. The Commissioner is authorized to credit any overpayment of fees or debit any underpayment of fees associated with this response to Deposit Account No. 13-2490. The applicants respectfully assert that the pending claim is allowable and request prompt issuance of a Notice of Allowance.

Date: January 8, 2002

Respectfully submitted,



Mark L. Chael, Ph.D.  
Patent Agent  
Reg. No. 44,601

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